

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TERRELL THOMAS,	:	
	:	
Plaintiff,	:	
	:	24 Civ. 5116 (LGS)
-against-	:	
	:	<u>ORDER</u>
41 GREENE STREET OWNER LLC,	:	
	:	
Defendant.	:	
	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for August 28, 2024;

WHEREAS, both parties agree, in lieu of the Court's initial pretrial conference and case management plan, to have Plaintiff's expert conduct an inspection of Defendant's store as soon as practicable, by a date upon which both parties agree;

WHEREAS, Plaintiff's expert's report shall be provided to Defendants within 45 days of the aforementioned inspection. It is hereby

ORDERED that the August 28, 2024, initial pretrial conference is **CANCELED**. If the parties believe that a conference would nevertheless be useful, they should inform the Court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. The parties' attention is particularly directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further


ORDERED that the parties shall file a letter jointly proposing next steps and identifying areas of dispute regarding settlement in this action within 30 days of Defendant's receipt of Plaintiff's expert's report. The parties' letter shall also state whether the parties are ready to proceed with a settlement conference with the assigned Magistrate Judge or mediation in the

Court's mediation program, and if so, the letter shall request a referral. It is further

ORDERED that if Defendant(s) seek to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2.

The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: August 23, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE